



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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ENFORCEMENT &
COMPLIANCE ASSURANCE
DIVISION

April 4, 2022

Mark Larsen
Project Coordinator
ANCHOR QEA, LLC
1119 Pacific Avenue, Suite 1600
Tacoma, Washington 98402

Re: Bosma Dairy Lagoon 3
Administrative Order on Consent ("Consent Order")
Docket No. SDWA-10-2013-0080
Yakima Valley Dairies, Washington

Dear Mr. Larsen:

As you are aware, EPA's March 9, 2022, letter amended the schedule for the closure of Bosma Lagoon 3, based in part on the data collected by the Respondent from beneath Lagoon 3 showing heavy nitrogen soil contamination beneath the lagoon to a depth of 10 feet. EPA's March 9 letter states, "EPA is concerned that in its current condition, Lagoon 3 may represent an imminent and substantial endangerment to the drinking water aquifer and downgradient residential drinking water wells. Any surface water that is allowed to infiltrate the bottom or sides of Lagoon 3 (e.g., rainwater, snowmelt) will likely migrate through the contaminated soil and transport nitrate to the drinking water aquifer." To abate risk to the drinking water aquifer and public health, EPA amended the Lagoon 3 construction schedule to require this work:

April 1, 2022 Respondent shall regrade the bottom of Lagoon 3 to facilitate drainage to at least two sumps with pumps that are constantly powered and functioning and set up to automatically detect and pump any water out of and away from Lagoon 3. Additional sumps will be added if water ponds between the sumps. Respondent shall maintain the sumps in place until Respondent receives approval from EPA to remove them. Respondent shall visually inspect Lagoon 3 daily beginning April 2, 2022, shall notify EPA within six hours if any liquid is observed accumulated in the lagoon, and shall take immediate action to empty the lagoon of liquid. Every monthly report shall summarize the frequency and results of these inspections.

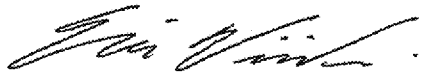
Liquid passing through these contaminated soils is likely to generate leachate contaminated with nitrate that will migrate directly to the aquifer. During our March 31, 2022 conference call, you indicated that you were having difficulty running power lines to the lagoon to support the pumps. Portable gas-powered pumps and flexible lines are acceptable until permanent power and conveyance is available at the site.

Please inform EPA immediately regarding the status of each of these required work elements, which were required to be completed April 1, 2022:

- regrading the bottom of the lagoon
- completion of two sumps in the lagoon
- installation of two pumps, one in each sump
- confirmation that both pumps are powered and functioning as required

You may contact me at (206) 553-6904, or your legal counsel may contact Jennifer MacDonald at (206) 553-8311, if you have any questions regarding this letter.

Sincerely,



Eric Winiecki
EPA Project Coordinator
Enforcement and Compliance Assurance Division

cc: Jennifer MacDonald
Don Clabaugh
Eric Weber, Landau Associates